

\*Amended DLD-78

February 26, 2008  
December 6, 2007

**UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT**

C.A. No. **07-3621**

RUDOLPH V. HARDIN

VS.

THOMAS L. CARROLL; ATTORNEY GENERAL  
OF THE STATE OF DELAWARE

(D. DEL. CIV. NO. 06-CV-00220)

Present: BARRY, CHAGARES AND NYGAARD, CIRCUIT JUDGES.

Submitted are:

- (1) Submitted is appellant's request for a certificate of appealability under 28 U.S.C. § 2253(c)(1); and
- (2) **\*Appellant's Motion to Amend Certificate of Appealability in the Interest of Justice**

in the above-captioned case.

Respectfully,

Clerk

MMW/JS/zm/isc

ORDER

The foregoing request for a certificate of appealability is denied. Jurists of reason would not debate whether the District Court correctly denied federal habeas relief. Accordingly, Appellant has failed to make a substantial showing of the denial of a constitutional right, and his request for a certificate of appealability is denied. See 28 U.S.C. § 2253(c)(2); Miller-El v. Cockrell, 537 U.S. 322, 338 (2003). **Appellant's Motion to Amend his Request for a Certificate of Appealability is granted.**

By the Court,

**/s/ Maryanne Trump Barry**  
Circuit Judge

Dated: March 13, 2008

ISC/cc: Rudolph V. Hardin

Elizabeth R. McFarlan, Esq.



A True Copy

*Marcia M. Waldron*

Marcia M. Waldron, Clerk